

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

MARY PANKEY

PLAINTIFF

VS.

CIVIL ACTION NO: 1:15CV56-DAS

MISSISSIPPI STATE UNIVERSITY

DEFENDANT

ORDER

This matter is before the court on defendant's motion in limine (#38) and seeks to exclude from trial any and all evidence relating to plaintiff's prior employment disputes with the defendant. These disputes include any claims by the plaintiff that she observed the defendant violating federal laws during the course of her employment, that the defendant treated her unfairly in her employment, or that she was wrongfully terminated. This evidence, according to the defendant, is not relevant to the plaintiff's present claims and would only serve to incite and inflame prejudice in the jury. Moreover, the defendant claims it would serve to distract from the matters at issue here and thereby create a trial within a trial.

Pursuant to the Local Uniform Civil Rules, "[c]ounsel for respondent must, within fourteen days after service of movant's motion and memorandum brief, file a response and memorandum brief in support of the response." L.U. Civ. R.7(b)(4). "If a party fails to respond to any motion, other than a dispositive motion, within the allotted time, the court may grant the motion as unopposed." L.U. Civ. R. 7(b)(3)(E). The present motion was filed on June 17th, 2016, and plaintiff has failed to respond as of July 15th, 2016. Having considered the motion, which is construed as unopposed pursuant to the Local Uniform Civil Rules, the court finds that it is well taken and should be granted.

IT IS, THEREFORE, ORDERED that plaintiff is hereby barred from submitting any evidence at trial concerning her alleged prior employment disputes with Mississippi State University, such as allegations that Mississippi State University: violated federal laws during the course of plaintiff's employment, treated plaintiff unfairly during her employment, or wrongfully terminated plaintiff's employment.

SO ORDERED this, the 15th day of July, 2016.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE